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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/015,019	12/10/2001	Hubert Le Van Gong	80398.P501	2051
7590	02/10/2006		EXAMINER CHANG, SHIRLEY	
Andre M. Gibbs BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP Seventh Floor 12400 Wilshire Boulevard Los Angeles, CA 90025-1026			ART UNIT 2614	
DATE MAILED: 02/10/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/015,019	GONG ET AL.	
	Examiner	Art Unit	
	Shirley Chang	2614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-34 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-34 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____. |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claim(s) 1-6, 8-28, 30-34 is/are rejected under 35 U.S.C. 102(e) as being anticipated by Omoigui (20050108747).

As to claim 1, Omoigui discloses a method in a system on a machine-readable medium:

receiving user profile information describing user preferences (fig. 6, elements 300, 302; [0064]);

receiving the plurality of multimedia streams including metadata describing each of the plurality of multimedia streams ([0026]; [0066]);

filtering the plurality of multimedia streams to select a multimedia stream based on the metadata and the user profile information (step 308 [0066]).

As to claim 2,

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the metadata describes characteristics of the plurality of multimedia streams (source information [0066]; [0026]).

As to claim 3,

the metadata describes relationships of the plurality of multimedia streams ([0066]; [0026]; [0042]).

As to claim 4,

the selected multimedia stream is selected from the group consisting of an audio stream, a video stream, a graphics stream, a data stream, a simulated audio stream, a simulated video stream, and a simulated data stream ([0039]; [0042]).

As to claim 5,

generating a simulated multimedia stream associated with the selected multimedia stream; and integrating the simulated multimedia into the selected multimedia stream [0066].

As to claim 6,

the integrating is performed after the filtering (small icon to inform that a presentation has been found [0066]).

As to claim 8,

presenting the selected multimedia stream to a display component ([0066]; fig. 2).

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As to claim 9,

transferring the selected multimedia stream to a data store (recorded for subsequent viewing [0066]).

As to claim 10,

the user profile information is delivered via a viewer control (user can enter criteria [0064]; fig. 2).

As to claim 11,

the presentation is selected from the group consisting of a sporting event, a concert, a movie, a television program, and a play (fig. 4, Seahawks game [0049]).

As to claim 13,

A filtering apparatus comprising: a filter component to select a multimedia stream from a plurality of multimedia streams based on metadata and a user profile information ([0066]; [0070]).

As to claim 14,

The apparatus of claim 13 further comprising: a display component to present the selected multimedia stream to a viewer (see claim 8).

As to claim 15,

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The apparatus of claim 13 further comprising: a data store to store the selected multimedia stream (see claim 9).

As to claim 16,

The apparatus of claim 13 further comprising: a digital TV broadcast media from which the filter component receives the plurality of multimedia streams ([0042]).

As to claim 17,

the filter apparatus is integrated into a system from the group consisting of a digital TV receiver, a set top box, and a personal computer ([0066]; [0044]; [0033]; [0070]).

As to claim 18,

The apparatus of claim 13 wherein the plurality of multimedia streams are selected from the group consisting of an audio stream, a video stream, a graphics stream, a data stream, a simulated audio stream, a simulated video stream, and a simulated data stream (see claim 4).

As to claim 19,

The apparatus of claim 13 further comprising: a simulation server to generate and integrate simulated multimedia into the selected multimedia stream (see claim 5).

As to claim 20,

The apparatus of claim 13 further comprising: a simulation server to generate and integrate simulated multimedia into the plurality of multimedia streams (see claim 5).

As to claim 21,

The apparatus of claim 13 further comprising: a viewer control to provide user profile information to the filter component (see claim 10).

As to claim 22,

the viewer control selected from the group consisting of a television remote control and a graphical user interface (see claim 10).

As to claim 23,

A machine-readable medium having executable instructions to cause a machine to perform a method comprising: receiving user profile information describing user preferences; receiving a plurality of multimedia streams of a presentation including metadata describing each of the plurality of multimedia streams; and filtering the plurality of multimedia streams to select a multimedia stream based on the metadata and the user profile information (see claim 1).

As to claim 24,

The machine-readable medium of claim 23 wherein the metadata describes characteristics of the plurality of multimedia streams (see claim 2).

As to claim 25,

The machine-readable medium of claim 23 wherein the metadata describes relationships of the plurality of multimedia streams (see claim 3).

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As to claim 26,

The machine-readable medium of claim 23 wherein the selected multimedia stream is selected from the group consisting of an audio stream, a video stream, a graphics stream, a data stream, a simulated audio stream, a simulated video stream, and a simulated data stream (see claim 4).

As to claim 27,

The machine-readable medium of claim 23 further comprising: generating a simulated multimedia stream associated with the selected multimedia stream; and integrating the simulated multimedia into the selected multimedia stream (see claim 5).

As to claim 28,

The machine-readable medium of claim 27 wherein the integrating is performed after the filtering (see claim 6).

As to claim 30,

The machine-readable medium of claim 23 further comprising: presenting the selected multimedia stream to a display component (see claim 8).

As to claim 31,

The machine-readable medium of claim 23 further comprising: transferring the selected multimedia stream to a data store (see claim 9).

As to claim 32,

The machine-readable medium of claim 23 wherein the user profile information is delivered via a viewer control (see claim 10).

As to claim 33,

The machine-readable medium of claim 23 wherein the presentation is selected from the group consisting of a sporting event, a concert, a movie, a television program, and a play (see claim 11).

Claim Rejections - 35 U.S.C. § 103

The following is a quotation of 35 U.S.C. § 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claim(s) 7 and 29 is/are rejected under 35 U.S.C. § 103(a) as being unpatentable over Omoigui (20050108747).

As to claim 7,

Omoigui does not specifically disclose that the integrating is performed before the filtering. Official Notice is taken that it is notoriously well known in the art to insert an overlay showing which station is being viewed before filtering. Therefore, it would have

been obvious at the time of the invention was made to one of ordinary skill in the art to modify Omoigui to have the integrating performed before the filtering (fig. 1, el. 14), so as to allow the user to quickly identify where the programming viewing originated.

As to claim 29,

The machine-readable medium of claim 27 wherein the integrating is performed before the filtering (see claim 7).

3. Claim(s) 12 and 34 is/are rejected under 35 U.S.C. § 103(a) as being unpatentable over Omoigui (20050108747) in view of Hensgen (20030208771).

As to claim 12,

Omoigui discloses a Seahawks football game, but does not specifically disclose a subset of the plurality of multimedia streams are transmitted each from a plurality of broadcast cameras. Hensgen discloses a subset of the plurality of multimedia streams are transmitted each from a plurality of broadcast cameras [0033]. Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Omoigui with Hensgen so as “to allow the viewer to choose between different camera views” [0033].

As to claim 34,

The machine-readable medium of claim 23 wherein a subset of the plurality of multimedia streams are transmitted each from a plurality of broadcast cameras (see claim 12).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shirley Chang whose telephone number is (571) 272-8546. The examiner can normally be reached on 8:30-5:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Miller can be reached on (571) 272-7353. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

SC

HAI TRAN
PRIMARY EXAMINER
